



Political Activity

Political Activity FAQ

May Executive branch employees serve as campaign volunteers?

Generally yes. Executive branch State employees are permitted to express their opinions on political subjects and candidates outside of working hours. Furthermore they are allowed to participate in political campaigns outside of working hours, so long as the campaign is not for State office or for office in the county of the employee's employing unit.

However, employees are not permitted to solicit other employees for political purposes, even when not on work premises or during work time. Employees are not permitted to serve as a watcher, challenger, or similar partisan worker in any election. A poll watcher or observer is a person appointed to observe the conduct of an election on behalf of a candidate or political party.

Do Executive branch employees need to notify / inform anyone if they are participating in a campaign?

Yes, if the employee is seeking office. In this case, the employee must notify the employing agency's designated Ethics Officer prior to announcing or qualifying for any elected position or office.

If the employee is not running for office, the answer depends on the agency's policy. Each agency may have its own policy regarding the notification of participation in a campaign. You should consult your agency's policies in order to properly direct your employees on this matter.

Can Executive branch employees wear a campaign t-shirt (or other clothes or campaign buttons) at work?

No. Employees may not wear campaign memorabilia, including t-shirts or campaign buttons, during working hours. Employees may wear such memorabilia outside of working hours.

Can Executive branch employees appear in a campaign ad?

It depends. Yes, if the employee does not knowingly endorse or oppose a candidate for State office or office in the county of the employee's employing agency or residence in the political advertisement or broadcast. "Knowingly" means that the employee was aware of the use of his or her picture in the campaign ad or broadcast. Therefore, employees may only knowingly appear in ads for candidates for national office or for local office that is not in the county of the employee's employing agency or residence.

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Can Executive branch employees attend a campaign rally?

Yes. There is nothing in State law prohibiting employees from attending a campaign rally, so long as they do not give the impression or implication that their views are representative of the State as State employees. Such attendance should not take place during working hours. If the employee is running for the office, he or she may speak at the rally.

Can Executive branch employees place a campaign sign / poster in their private residence yard?

Yes. Employees may place campaign signs, posters, and other memorabilia in their private residence yard so long as they do not give the impression or implication that their views are representative of the State as a State employee.

Can Executive branch employees display political signs or other campaign material in the office or at their desk?

No. Employees are prohibited from engaging in any political activity during work hours and on work premises. Such display would constitute political activity.

Can Executive branch employees place a bumper sticker on their personal vehicle?

It depends. Yes, if the State is not paying transportation mileage while the vehicle is being driven. For example, employees may place such signage on their car that they drive to and from work. However, if the car is being driven for work for which the employee will be reimbursed for mileage, the sticker or other signage is prohibited during the work-related travel.

Employees are further restricted from transporting campaign literature, matter, or engaging in soliciting votes or transporting a person who is soliciting votes, while driving a vehicle for which transportation mileage will be paid by the State.

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Can an Executive branch employee work as a poll officer/worker?

Yes. An employee can work as a non-partisan poll officer/worker. However, if the polling position involves pay, the employee must comply with the agency's requirements for Outside Employment and may not engage in poll work while on duty in the State position.

Poll workers conduct assigned duties at a polling site including issuing ballots to registered voters, registering voters, monitoring the voting equipment, explaining how to mark the ballot or use the voting equipment, or counting votes.

Note that employees are not permitted to serve as a watcher, challenger, or similar partisan worker in any election. A poll watcher or observer is a person appointed to observe the conduct of an election on behalf of a candidate or political party.

Do Executive branch employees lose their job during candidacy for office?

Yes, if an employee runs for a full-time office or other prohibited office (elected Executive branch State office, State legislature, State Judicial branch office, civil office of the Federal government, or office that would conflict with the employee's official duties as a State employee). If the employee's State employment is entirely federally funded, and the employee runs in a partisan election then the employee must resign from office during candidacy.

An employee will be presumed as running for such an office when the employee personally engages in any political meetings, soliciting of votes, soliciting of campaign funds, or any other manner which could be reasonably interpreted as an offering of personal candidacy for a full-time office or other prohibited office.

However, if an employee runs for a part-time, non-partisan, local office that does not conflict with the performance of the employee's official duties the employee is not required to resign. If the employee's State employment is not entirely federally funded, then the part-time office could be partisan.

If an Executive branch employee runs for full-time, or other prohibited office, may the employee return to work if they employee does not win the election?

It depends. An employee's mere candidacy for a full-time or other prohibited office requires resignation or termination. Therefore, the employee can only return to work if the position has not been filled and the employee is rehired.

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Can Executive branch employees only run in a non-partisan election?

It depends. Yes, if the employee's salary or wages is paid completely (directly or indirectly) by Federal funding. This is a 2012 change to the Hatch Act which previously prevented State employees from running in partisan elections if any portion of their salary was paid by Federal funding. However, if the employee's salary is only partially or not at all federally funded, then the election may be partisan or non-partisan. Check with your budget office to determine if the Hatch Act applies.

Are Executive branch employees restricted in personal social networking political activity outside of work?

Yes. Employees must not indicate expressly or implicitly that political views expressed via personal social networking represent the views of the State. Furthermore, employees may not use personal social networking to solicit other employees for political purposes or to attempt to coerce the political action of other employees or customers served as a part of the employee's State employment.